

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN THE MATTER OF THE APPLICATION FOR PATENT

Off: Josef BAERENWEILER et al.

| Art Unit: 2632

USPN: 10/781,337

| Confirmation No.: 9428

FILED: February 17, 2004

FOR: Method Of Operating An Active
Obstacle Warning System

MS MISSING PARTS
COMMISSIONER FOR PATENTS
P.O. BOX 1450
ALEXANDRIA, VA 22313-1450

June 1, 2004

INFORMATION DISCLOSURE STATEMENT

Dear Sir:

- 1) Pursuant to 37 C.F.R. §§ 1.56, 1.97 and 1.98 applicants enclose a Form PTO-1449, copies of the references listed thereon, and a copy of an International Search Report issued on January 22, 2003 in the parent International Application.
- 2) This statement is being filed together with the reply to the Notice to File Missing Parts in the above identified application, thus before issuance of the first Office Action on the merits, so no fee is due.

- 3) References AA to AE are each accompanied by an English Abstract. References AA to AE have been discussed at pages 2 to 6 of the specification. Therefore, no further discussion of the references is necessary.
- 4) Reference AB (EP 0,569,686) was cited in the International Preliminary Examination Report of the parent International Application, wherein the International Examiner asserted that the PCT International claims would have been obvious in view of this reference at page 2, lines 1 to 10, 29 and 56 et. seq. and page 3, line 3 et. seq. The International Examiner asserted that the reference discloses a method for operating an active obstacle warning system, which emits modulated light waves in the form of at least one radiation beam in a direction for measuring the spacing distance to an obstacle, and determines the spacing distance to the obstacle in connection with the transit time of the reflected light component, whereby the emitting power of the obstacle warning system is varied in a situation-dependent manner within the time duration of a radiation beam, but the radiation beam is not emitted with a prescribed time duration. The assertions of the International Examiner are not adopted or ratified as correct by the applicant, but they are submitted for the US Examiner's consideration of the possible relevance of this reference.
- 5) Moreover, the enclosed Search Report indicates the degree of relevance of each of the references AA, AC and AD by category (A = technological background; and X = relevant for anticipation


or obviousness when considered alone). Thereby, the requirement for a concise explanation of the relevance of the foreign language references has been satisfied (see M.P.E.P. §609).

- 6) Applicants respectfully request that the Examiner consider all references of record, return an initialled copy of the enclosed Form PTO-1449 to the applicants and ensure that all references of record are printed on any patent issuing from this application.
- 7) Favorable consideration and allowance of claims 1 to 24 are respectfully requested.

Respectfully submitted,

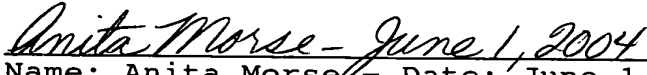
Josef BAERENWEILER et al.
Applicant

WFF:ar/4627
Enclosure: postcard,
Form PTO-1449,
5 references,
5 English Abstracts

By 
Walter F. Fasse
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CERTIFICATE OF MAILING:

I hereby certify that this correspondence with all indicated enclosures is being deposited with the U. S. Postal Service with sufficient postage as first-class mail, in an envelope addressed to: COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450 on the date indicated below.


Name: Anita Morse - Date: June 1, 2004

Sheet 1 of 1Atty. Docket No.
4627Serial No.:
10/781,337LIST OF REFERENCES CITED BY
APPLICANT

(REVISED FORM PTO-1449)

DATED: June 1, 2004

Applicant: Josef Baerenweiller et al.

U.S. Filing Date:
February 17, 2004Art Unit:
2632

U. S. PATENT DOCUMENTS

| *EXAMINER INITIAL | DOCUMENT NO. | DATE | NAME | Cl. | Sub- Cl. | File Date |
|----------------------|--------------|------|------|-----|-------------|--------------|
| | | | | - | - | - |

FOREIGN PATENT DOCUMENTS

| | | DOCUMENT NO. | | | | | | | DATE | COUNTRY | Cl. | Sub- Cl. | Trans. | |
|--|----|--------------|---|---|---|---|---|---|---------|----------------------|-----|-------------|--------|----|
| | | | | | | | | | | | | | Yes | No |
| | AA | 3 | 9 | 0 | 3 | 5 | 0 | 1 | 08/1989 | Fed. Rep. of Germany | - | - | Abst | |
| | AB | 0 | 5 | 6 | 9 | 6 | 8 | 6 | 11/1993 | Europe | - | - | Abst | |
| | AC | 19 | 7 | 0 | 7 | 9 | 3 | 6 | 09/1998 | Fed. Rep. of Germany | - | - | Abst | |
| | AD | WO 00 | / | 5 | 4 | 0 | 7 | 0 | 09/2000 | PCT | - | - | Abst | |
| | AE | WO 99 | / | 6 | 0 | 6 | 2 | 9 | 03/2001 | PCT | - | - | Abst | |

OTHER DOCUMENTS

EXAMINER

DATE CONSIDERED

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.